

UNITED STATES DISTRICT COURT

United States District Court
Southern District of Texas
FILEDfor the
Southern District of Texas

NOV - 1 2018

United States of America

v.

Francisco Javier NUNO
YOB: 1996 COC: United States

David J. Bradley, Clerk

Case No.

11-18-2261-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 24, 2018 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

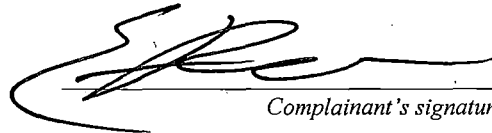
31 U.S.C. § 5332

Knowingly and intentionally attempt to evade this currency reporting requirement, under section 5316, by concealing more than \$10,000.00 in currency or other monetary instruments to wit; \$40,842.00 in the defendant's possession, and attempting to transport such currency or monetary instruments from a place outside the United States, to wit; Reynosa, Mexico, to a place within the United States, to wit; Hidalgo, Texas.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

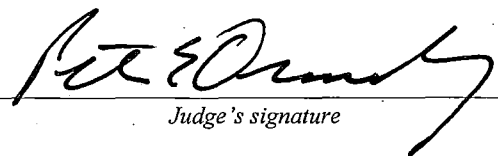


Complainant's signature

Evan Mason, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 11/1/201811:22am

Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Peter E. Ormsby

Printed name and title

ATTACHMENT A

On February 24, 2018, a United States Customs and Border Protection Officer J. Saenz (hereinafter CBPO) was conducting inbound inspections as part of his duties at the Anzalduas Port of Entry (hereinafter POE). The CBPO encountered a 2012 Ford F-150 bearing Pennsylvania license plates ZJG9695 (hereinafter "target vehicle") being driven by Francisco Javier NUNO (hereinafter NUNO).

At the primary inspection, the CBPO received a negative oral declaration for currency or monetary instruments in excess of \$10,000.00, weapons, and ammunition from NUNO. NUNO was subsequently referred to the secondary inspection area. During the secondary inspection, CBPO A. Martinez again asked NUNO if he had currency or monetary instruments in excess of \$10,000.00, weapons, or ammunition, to which NUNO responded in the negative. NUNO then stated that he was currently out of a job and was starting a watermelon business. NUNO further stated that he was traveling from Monterrey, Mexico to Edinburg, Texas where he lives.

The CBPO then referred the target vehicle Z-Portal X-Ray machine while NUNO was placed in the secondary area to wait further inspection. While waiting for results from the X-Ray inspection, the CBPO checked the vehicle, at which time the CBPO discovered money behind the glove box and inside the seats. Additionally, the CBPO discovered a list of weapons with the aforementioned money discovered. In the target vehicle, a total of \$30,017.00 was found concealed within various compartments within the vehicle. An additional \$10,825.00 USD was found on NUNO's person. A total of \$40,842.00 USD was located in the target vehicle and on NUNO's person.

Homeland Security Investigations (HSI) Special Agents (SA) were advised of the situation and responded to the Anzalduas POE to interview NUNO. HSI SA's read NUNO his Miranda rights as witnessed by HSI SA G. Mercado and a HSI Task Force Officer J. Cuellar. NUNO initially began to give a statement, but ultimately stated that he did not wish to speak without an attorney present, at which time SA Mason terminated all questioning and the audio recorded interview was concluded.